

JC03 Rec'd PCT/PTO 08 JUN 2005

1068

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

16/50/068

In re Application of:)
 Mats LEIJON) Group Art Unit: Not Yet Assigned
 Serial No.: Not Yet Assigned) Examiner: Not Yet Assigned
 National Phase of PCT/SE02/02404)
 Filed: July 9, 2004) Attorney Docket No. 66352-033
 For: WAVE-POWER)
 ELECTRIC DEVICE AND)
 METHOD (AS AMENDED)) Via Facsimile 571 273 0459

REQUEST FOR REFUND OF CERTAIN EXTRA CLAIMS FEES

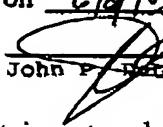
June 9, 2005

Mail Stop PCT
 Commissioner for Patents
 P.O. Box 1450
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Sir:

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No 571 273 0459 on 6/9/05.


 John P. Baca, Reg. No. 25,505

21 Pages

This is a request for a refund of certain extra claims fees charged to Deposit Account 04-2223 which appear in the attached Deposit Account Statement for the above application. The Charges are an extra claim fee in the amount of \$72.00 and a multiple dependent claim fee in the amount of \$290.00. A copy of the Deposit Account Statement showing the charges is attached.

These charges were assessed because applicants' representative incorrectly numbered the claims in a Preliminary Amendment filed July 9, 2004, attached hereto. As a result of the error, certain extra claims appear to remain in the application including multiple dependent claims.

In the July 9 Preliminary Amendment, Claims 1-34 and 36-43 are presented. The claims were amended to remove multiple dependencies as set forth in the Remarks portion of the Preliminary Amendment.

Applicants request that the claim numbering be corrected; and that the charges assessed against the application be reversed.

The error occurred inadvertently as follows:

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 IDVPPD

RECEIVED
 9 JUN 2005
 Legal Staff
 International Division

The published International Application, attached hereto, upon which the present application is based, contains Claims 1-45. No amendments were filed in the International Application.

The Preliminary Amendment filed July 9, 2004 contains claims numbered 1-43. This numbering is incorrect.

The Preliminary Amendment contains a total of forty two (42) claims, three (3) less than the claims in the International Application. In the Preliminary Amendment, original dependent Claims 5 and 8 were deleted and combined with Claim 1; Claim 34 was cancelled; and the remaining claims were renumbered. Original Claims 5 and 8 were not specifically identified in the Preliminary Amendment as being cancelled. However, it is apparent that the Original Claims 5 and 8 are different than Claims 5 and 8 in the Preliminary Amendment; Original Claim 34 was properly identified as being cancelled in the Preliminary Amendment; and Claims 42 and 43 correspond to Original Claims 44 and 45 with the multiple dependencies removed. Accordingly, the application contains a total of forty two (42) claims without multiple dependencies remaining after amendment.

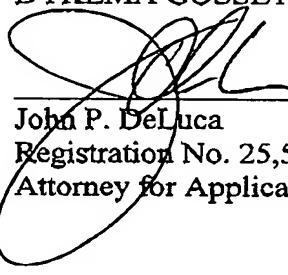
The stated purpose of the Preliminary Amendment of June 9, 2004, as set forth in the Remarks section, was to cancel multiple dependent claims. Because of the incorrect numbering of the claims in the Preliminary Amendment, the fees were incorrectly calculated.

The purpose of this request therefore is to correct the record of the application; and to request that the claim numbering in the Preliminary Amendment be deemed correct; and to request that the charges assessed against the deposit account be reversed.

For the record, original Claims 5, 8 and 34 from the International Application are cancelled; Claims 44 and 45 from the International Application are renumbered as Claims 42 and 43; and all multiple dependent claims are deleted.

Deposit Account 04-2223 has been charged a total of \$362.00 including \$72.00 for extra claims and \$290.00 for multiple dependent claims. A copy of the Deposit Account Statement is attached with the charges identified. It is requested that these charges be reversed and that the amount be credited to the above identified Deposit Account.

Respectfully submitted,
DYKEMA GOSSETT PLLC


John P. DeLuca
Registration No. 25,505
Attorney for Applicant

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Applicants' representative believed at the time that the Preliminary Amendment was filed that an amendment had been filed in the International Application, deleting originally filed claims 5 and 8. Such belief was in error. As a result, Applicants' representative filed the Preliminary Amendment as if Claims 5 and 8 had been cancelled and as if the remaining claims had been renumbered. Because of this error, it appears that extra claims and multiple dependent claims are in the application. However, this was not the intention of applicants' representative in preparing the Preliminary Amendment, as specifically recited in the Remarks thereof.



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OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

DYKEMA GOSSETT PLLC
 MARY F. PELTIER
 39577 WOODWARD AVENUE
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FINA

Account No.
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